



RESEARCHING WOMEN IN SILENT CINEMA

NEW FINDINGS AND PERSPECTIVES

EDITED BY MONICA DALL'ASTA, VICTORIA DUCKETT, LUCIA TRALLI

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ALMA MATER STUDIORUM
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Women and Screen Cultures

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Women and Screen Cultures is a series of experimental digital books aimed to promote research and knowledge on the contribution of women to the cultural history of screen media. Published by the Department of the Arts at the University of Bologna, it is issued under the conditions of both open publishing and blind peer review. It will host collections, monographs, translations of open source archive materials, illustrated volumes, transcripts of conferences, and more. Proposals are welcomed for both disciplinary and multi-disciplinary contributions in the fields of film history and theory, television and media studies, visual studies, photography and new media.



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Researching Women in Silent Cinema: New Findings and Perspectives

Edited by: Monica Dall'Asta, Victoria Duckett, Lucia Tralli

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Researching Women in Silent Cinema: New Findings and Perspectives

Peer Review Statement

This publication has been edited through a blind peer review process. Papers from the Sixth Women and the Silent Screen Conference (University of Bologna, 2010), a biennial event sponsored by Women and Film History International, were read by the editors and then submitted to at least one anonymous reviewer. When the opinion of the first reader was entirely negative or asked for substantial revision, the essay was submitted to a second anonymous reviewer. In case of a second negative opinion the essay was rejected. When further changes were deemed necessary for publication, the editors worked extensively with the authors to meet the requests advanced by the reviewers.

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Mark Lynn Anderson

The Impossible Films of Vera, Countess of Cathcart

ABSTRACT: This essay revisits the *cause célèbre* occasioned when a British novelist, playwright, and divorcée was denied entry into the United States in early 1926 on the grounds of “moral turpitude.” The Countess of Cathcart made international headlines after being detained at Ellis Island for admitting to an affair with a married man, but she was also quickly championed, feared, and ridiculed by various individuals, groups, and institutions that sought to exploit her short-lived notoriety toward different ends. The cinema was one determining context for some of these contestations over the significance of the Countess, and the Cathcart case raises important questions about how we might rethink women’s involvement in early motion-picture production outside a history of the titles that were actually produced. By attending to the regulatory concerns about the films that women such as the Countess of Cathcart might have made, this essay proposes a historiographical practice that refuses to limit women’s film history to a inventory of what we can safely establish as having occurred in the past.

In a short story written in 1944 by the Cuban poet and essayist, Virgilio Piñera, we encounter an unnamed countess in an unnamed country who, upon reading an account of an extravagant dance held a hundred years earlier, decides to restage the event as a centennial repetition of the original gala ball. Immediately, though, she encounters a seemingly intractable procedural difficulty, a difficulty that we historians often term “mediation.”

The situation was this: the reading of the account suggested the statement and development of the following seven phases:

First: the ball as it was actually held a century ago.

Second: the ball as described by the chronicler of the day.

Third: the ball as the countess imagines it, based on the chronicler’s description.

Fourth: the ball as the countess imagines it without the chronicler’s description.

Fifth: the ball as she imagines holding it.

Sixth: the ball as it is actually held.

Seventh: the ball as it is conceived based on the memory of the ball as it is actually held.

(Piñera 31)

The countess finds herself unable to decide upon which of these seven balls to hold since her consideration of any one of them always requires the mediation of a subsequent possible ball. In other words, any re-enactment of the ball would never be a re-enactment of the event itself, but instead a theatrical response to the various subsequent representations through which the ball comes to be known. The countess’ continual pondering of this historiographical problem becomes her all-consuming passion, eclipsing the original desire to mount a centennial re-enactment. As Piñera describes it, “Her life was a perpetual game

of the solitaire of possibilities” (34). Since rumors about the countess’ plan to hold a grand ball were circulating among the people, her inability to actually produce the centennial ball was calling into question her right to rule. The entertaining of possibilities is incompatible with the ability to govern, and the “metaphysical *soirées*” that the countess held with the other ladies of the aristocracy to contemplate further the conundrum provided no end of consternation for her husband, the count. As each ball is a possible ball that might be held, its mediation also makes it impossible, a demonstration that the possible and the impossible are never structuring contraries, but co-constituents of historical interpretation.

Of course, we might imagine that there remain today those historians who, much like the perturbed husband of Piñera’s tale, summarily dismiss any such claim about the ontological indeterminacy of the past as merely a rhetorical sleight of hand. Nevertheless, I would ask anyone who remains committed to the supposedly clear and impartial rule of the historical object to consider the motion picture career of yet another countess, Lady Vera, the Countess of Cathcart, a woman filmmaker in the silent era who apparently made no films. What evidence do we have for these films that never were? We might begin to envision the emerging traces of an impossible filmography for Vera Cathcart, but only after considering some of those possibilities and impossibilities with which historical facts are always inextricably bound. What follows is the story of a woman whose impossibility as a filmmaker only becomes visible when those details of her biography that remain scattered in the historical record are assembled so as to refuse the usual demand for a narrative that culminates with an estimation of the historical meaning and significance of that life. What follows is a sustained dwelling in the details of a woman’s adventures, details that were already parts of other stories about the Countess to be found in newspaper and tabloid reports, political speeches, government documents, and theatrical reviews. Of course, these various depictions of Vera Cathcart differ wildly in their accounts of the social, political, and artistic importance of her life and work. She is, like all historical subjects, an elusive figure, known to us only through the mediated testimony of those individuals and institutions who were charged with recording the facts of her life and establishing her worth. Because Vera Cathcart was repeatedly accused of being a “publicity-made woman,” she provides a useful example of how a historical inquiry might proceed to (mis)take the object as nothing but its mediation, to accept all this talk about the Countess—whether such talk is specious or not—as the terrain upon which the historian too might contribute to the talk about her in order to create trouble. Here, the troubling of a truth-functional historical project is not an end in itself but placed in the service of making apparent how the often unquestioned reliance on filmographical citation and verification within feminist historical practice works to make invisible the contributions of women who never had a chance.

The only documented screen credit routinely attributed to Vera Cathcart is the 1926 British film *The Woman Tempted*, produced and directed by Maurice Elvey and starring Juliette Compton as the young, vampish widow who destroys any man foolish enough to fall helplessly in love with her. Warwick Ward played that part of the man lucky enough to get away, while Sidney Morgan adapted the film's script from the novel by the Countess of Cathcart. Though the film has survived, there is no evidence that the Countess was in any way involved in the actual production of this picture beyond supplying a literary source for the script.¹ Compton played the novel's main character, the headstrong Louise Harding, a wealthy sensualist who flits from dinner party to dinner party, amusing herself with the various soldiers, colonial administrators, and mine owners who constitute the patriarchy of white imperial society in British controlled Rhodesia. In the film, Louise is eventually shot and killed by a vengeful woman who had been the fiancée of a young man who took his own life because of Louise's cruel machinations. In the novel, it is the bereaved woman's native servant who, out of a secret loyalty to the white woman for whom he works, accomplishes this retribution by brutally strangling Louise in her bed.

The film did not open in the United States until April 1928, and it apparently had only a brief run at the Cameo Theater in New York without further bookings in North America (*New York Times*, Apr. 27, 1928 17). While promotions for the film sometimes made use of the Countess' name, very little attention was given in the popular press to either the film or its literary source. Indeed, in his review of *The Woman Tempted*, *New York Times* critic Mordaunt Hall spent well over half of his column praising the topical short film then playing at the Cameo, a series of views of an anteater that had been recently acquired by the Bronx zoo, an animal that Hall found fascinatingly hideous enough to warrant comparisons with rough-hewn Hollywood stars Wallace Berry and George Bancroft (Hall, "The Screen"). As for the featured motion picture, Hall praised Compton's performance but saw the rest of the cast as more or less posed by the director in a production he deemed theatrical and too artificial. Apparently, Hall's hatred of this motion picture grew, for he mentioned its lack of realism again at the end of his column four days later, two days after the picture had already closed at the Cameo. Complaining of its irredeemable amateurism, Hall compared *The Woman Tempted* to "the oldest of films in its alleged technique. It is the sort of thing that will certainly not win patrons for the picture theaters, for it presupposes that the intelligence of those who are going to see it is little more than that of an infant" (Hall, *New York Times*, Apr. 29, 1928 X5). This attribution of primitivism to the film is instructive in that the critic see the motion picture as a sort of throwback, something superseded by more intelligent and relevant filmmaking, such as, perhaps, actuality footage of a giant anteater at a nearby zoo. For Hall, *The Woman*

¹ *The Woman Tempted* survives in the BFI National Archive in London, as a viewing print produced from a 35mm fine grain master that was struck from the original 1926 negative.

Tempted was an out-of-date motion picture in which the attention of only the most foolish or unsophisticated audiences might be profitably maintained. Of course, however we might assess the film's relation to the reigning technical or aesthetic conventions of its own day, we might also ask why a motion picture that bore the name of "Vera, Countess of Cathcart," no matter how awful it might have been, warranted so little ink from a newspaper that only two years before was reporting on the activities of the Countess almost daily.

The New York Times was not the only newspaper to lavish such attention on Vera Cathcart during the early months of 1926. The Countess began making international headlines after US immigration officials boarded the ship on which she had sailed from Liverpool on February 9, declaring her an undesirable alien on the grounds of "moral turpitude," a category of exclusion that had been codified in the 1917 Immigration Act² (see "Countess of Cathcart Not Permitted to Land"; "British Countess, Admitting Divorce, Detained on Liner"; "British Countess Barred"; "Countess Cathcart Rejected"; "Countess of Cathcart Is Excluded from United States").

As the press never tired of explaining, government officials denied the Countess entry to the United States because she was a known adulteress and because she had admitted as much when questioned by government inspectors. While this may have been the first time that many readers had heard of Vera, Countess of Cathcart, those who had faithfully read the society pages of their newspapers already knew a great deal about her ("Lady Cathcart's Revenge on the Faithless Earl"; "Countess Who Eloped").³ The story goes as follows. Vera Fraser was born in Cape Town, South Africa. Her first husband was Major de Grey Warter, a British officer with whom she had two children before he perished in battle during the First World War. In 1919, she married the much older and much wealthier Earl of Cathcart with whom she had a son. Yet the latter union was quickly troubled when the Countess formally complained that the Earl was refusing to provide her with adequate funds to purchase the many dresses and other apparel she required. Reportedly, a magistrate concluded that the Countess was "a woman who made vulgar luxury the chief end of life," and he supported the Earl's contention that the allowance he regularly set aside for the Countess' wardrobe was more than sufficient for a woman of her station.

Meanwhile, the distraught Countess was enjoying the highlife by making the rounds of the most fashionable post-war London parties where she formed an intimate relationship with the young Lord Craven, a bon-vivant who had lost his leg in the war and who, upon his return from the front, had become alienated from his parents and his young wife. Bound, then, by their shared unhappiness in life and their mutual love of gaiety and the more bohemian pleasures, Lord Craven and Vera Cathcart eloped to South Africa in 1922. [fig. 1] While their romance was apparently tumultuous at times, with reports of heated arguments during which Lord Craven would remove and throw his artificial leg at the Countess, the

² US Immigration Act of 1917, sec. 19. See also Clark (161–214).

³ The details of her life and the quotation that follow in the next paragraph are largely taken from these sources, as well as the article cited in note 5.



1. A 1923 news wire photograph showing the Earl of Craven and the Countess of Cathcart sailing to South Africa during their elopement the previous year. Author's collection.

couple still represented a compelling example of two people willing to sacrifice almost everything, including their own reputations, in the name of love. Unsurprisingly, the Earl of Cathcart was immediately granted a divorce from the Countess on the grounds of desertion and alienation of affection; however, Lady Craven refused to seek a similar solution to her situation and, denying her husband the possibility of a divorce, she rendered Lord Craven and Countess Cathcart unable to wed. Purportedly Lady Craven sought to punish her rival by making it impossible for the Countess to become an honest woman (“Lady Cathcart’s Chance to Become an ‘Honest Woman’”). It was during this period that the Countess wrote and published her first novel, *The Woman Tempted*, which would become the basis of her sole screen credit. In 1925, Lady Craven finally consented to a divorce, whereupon Lord Craven had an abrupt change of heart, abandoned the Countess, and returned to his wife

who welcomed him back as the victim of a heartless seduction. The reunited couple then journeyed to the United States. Vera Cathcart's response was to write a semi-autobiographical play entitled *Ashes of Love* in which she sought to depict the treachery of men through a character based closely on her former paramour.⁴

Those who had kept up with society news would have known all these delicious details and more when the front pages of the world's papers began discussing Cathcart's detention at Ellis Island. The Countess' request for a judicial review of her case was delayed for nearly two weeks, until one of her attorneys eventually convinced a judge to issue a writ of *habeas corpus*, after which Immigration Department officials, reportedly at the explicit direction of the Department of Labor, allowed the Countess a ten-day leave from detention on a five-hundred dollar bond so that she might conduct business in New York City before returning to Ellis Island for a final decision on her appeal ("Countess Wins Point"; "Countess in New York"; "Plan to Surrender Countess Cathcart"). According to news accounts, the Countess maintained that she had traveled across the ocean to profitably dispose of her newly written play, as well as to be on hand for the North American publication of her novel. However, according to the transcript of the closed exclusion hearing that had taken place on Ellis Island on February 11, the Countess maintained that the principal reason for her travel was to visit friends in New York, with the production of her newly written play being more or less an afterthought. She also made no mention at the hearing of the forthcoming publication of her novel in North America. During questioning by inspectors, she stressed instead her financial independence and the continuing support she was providing to her two oldest children attending school in England, a son and a daughter from her first marriage who were almost never mentioned in news accounts of the immigration case.⁵ Portrayed by the press as neither an admirably dedicated parent nor a tragically fallen woman, Vera Cathcart's exclusion from the United States on the grounds of moral turpitude had become somewhat of a joke for journalists on both sides of the Atlantic who used the event to skewer American bigotry and hypocrisy. "Ridiculous" was the word most often used to describe the tenacity of the government's initial proceedings against the Countess, a term that would soon be used to describe the Countess herself.⁶

⁴ In response to the poor reviews the play received in both England and the United States, most of which seemed to suggest that her public notoriety could not compensate for her sheer lack of dramatic talent, the countess would later contend that the play was only loosely autobiographical, see "Lady Cathcart, 'Broke,' Goes Home Today."

⁵ See the transcript of the "Immigration Service's Board of Special Inquiry." As mentioned, the countess also had a child with the Earl of Cathcart, but the Earl maintained custody of that child after his divorce from the Countess in 1922.

⁶ For example, see the satirical cartoons reprinted in "America Saved from 'Turpitude'"; "British Views of the Cathcart Case."

Nevertheless, the plight of the Countess was also a very serious affair for civil libertarians, socialist politicians, and feminists. A group of “prominent New York women” hired the general consultant for the American Civil Liberties Union, Arthur Garfield Hayes, to represent the legal interests of the Countess in her fight to enter the country. Hayes had achieved notoriety the previous summer in Tennessee as one of the high-profile defense lawyers assisting Clarence Darrow in the Scopes Monkey Trial (“Deporting of Earl in Countess’ Case Is Being Discussed”; “Countess Wins Point”). The National Women’s Party made much of the Cathcart case, portraying the Countess’ exclusion as yet another example of the double standards to which men and women were officially subject, pointing out that the Earl of Craven, the other party involved in the adulterous relationship, had recently been admitted to the United States without incident. Alice Paul, leader of the Women’s Party, commented to the press that the government’s “action shows clearly the need for writing into the Constitution the principals of equal rights between men and women” (“If Hearing Is Held Woman’s Party Wants Recognition”). Similarly, Fiorello La Guardia, New York’s future mayor and then pro-immigration US Congressman from New York City’s largely Italian twentieth District, sent a somewhat tongue-in-cheek letter to Secretary of Labor James Davis demanding uniformity in the application of the immigration law since “we have one moral standard in this country, and the law is applicable to both men and women alike.”⁷ When a delegation comprised of representatives from the Women’s Party, the Lucy Stone League, the Housewives League, the Civic Club, and the Women’s Alliance visited Ellis Island on February 16, they questioned Immigration Commissioner Henry H. Curran as to why he had made such an erroneous and unjust decision, calling on him to immediately resign his post. During this same visit, Mrs. Harriet Stanton Blatch of the Civic Club told the Countess, “My dear, if you would put an act in your play showing those pinhead officials questioning you, it would be a wonderful play” (“Cathcart Case Ruling Delayed”). Attempting to defuse these repeated complaints about double standards, Commissioner Curran issued a summons for the Earl of Craven to appear for questioning, but the Earl immediately took flight to Canada to avoid any possibility of detention and deportation (“Countess Will Fight to Finish”). What began, then, as a somewhat laughable example of misguided puritanical officiousness started to take on increasing political and cultural weight.

The exclusion of Vera, Countess of Cathcart from the United States also quickly became the occasion for remembering other recent exclusions and deportations of prominent artists and radicals militants. *The Independent* placed a portrait of the Countess amongst those of famous deportees such as Isadora Duncan and Sergi Yesenin, Maxim Gorky, and Emma Goldman (“They Shall Not Pass!”). Newspapers also took note when the celebrated Hungarian film

⁷ Letter reproduced in Limpus and Leyson (208–209). Limpus and Leyson mistakenly identified the letter as having been written on January 12, 1926, a date that is at least a month too early since the letter explicitly references the Cathcart affair at Ellis Island.

actress Lya de Putti, then a twenty-six-year-old widow, entered the United States on February 21 in order to begin a contract with Famous Players-Lasky. *The Washington Post* noted that de Putti “had been the toast of central Europe for two years or more and has figured in stories of suicides and love affairs, many of them sensational. But she was not detained as was the Countess of Cathcart, although she was questioned as to her morals and her past in general.” Apparently, immigration authorities were satisfied with the exotic actress’ proclamation, “I have no lovers” (“\$312,000 Contract Signed by Countess of Cathcart”). De Putti entered the United States just two days after the Countess began her ten-day leave in New York City, and this was same day that the Countess signed a lucrative contract with theatrical producer Earl Carroll for exclusive rights to her recently written play, with an additional agreement that she would perform in the stage production herself (“Vera Finds Compensation”).⁸ Carroll had risen to prominence in 1923 by probing the limits of sartorial decency as the producer of *The Vanities*, a Broadway revue that, with its chorus lines of virtually nude showgirls, was regularly stealing audiences away from the Ziegfeld Follies and George White’s Scandals.

The Countess, happy with her successful business negotiations, had to continually defend herself against the charge that her detention at Ellis Island had merely been a pre-arranged publicity stunt in order to draw attention to her forthcoming dramatic production (see her reported denials of publicity seeking in “Judge to Permit Countess to Enter for Court Hearing”). Yet the event that had the most lasting significance for the Countess of Cathcart, as well as for Carroll, was not the Countess’ exclusion order and pending deportation for moral turpitude, nor the sensational theatrical agreement that she signed. The event that would garner the most publicity in the newspapers for the weeks to come was an after-hours, private party given by Earl Carroll at his Broadway theater. [fig. 2] Initial press reports had claimed that the party was given in honor of the Countess, and the news stories continually mentioned how she made there the acquaintance of Henry Thaw, the famous killer of Stanford White who shot his rival two decades earlier in retaliation for White’s previous deflowering of Thaw’s then wife, Evelyn Nesbit (“Vera Finds Compensation”).⁹ Thaw had just been released from a seven-year stint in a mental institution after a subsequent conviction for sexually assaulting a teenage boy. Another notable guest at the event was news journalist Irwin S. Cobb who had covered the Thaw-White scandal for *The New York World* in 1906 (“Carroll on Trial in ‘Wine Bath’ Case”). Because so many newspaper reporters and drama critics were present, accounts were quickly published detailing some of the more colorful festivities that took place at the Carroll party, including a bathtub full of libation in which a young chorus girl named Joyce Hawley submerged herself after a ceremonial disrobing upon the theater’s stage (e.g., “Girl’s Wine Bath Stirs Broadway”; for news about the various reporters at the party, see “Fed’l Grand Jury After Him for Perjury”). Some reports mentioned that the Countess of Cathcart sampled the contents of the tub just prior

⁸ Carroll is reported to have guaranteed the countess almost a third of a million dollars for her play and her performances (“\$312,000 Contract Signed by Countess of Cathcart”).

⁹ For a consideration of the Thaw-White scandal’s importance for film history, see Grieveson.

GIRL'S WINE BATH STIRS BROADWAY

Men Drink From Tub in Which She Sits at Carroll's Gay Party

NEW YORK, Feb. 24.—Broadway of the "Roaring Forties," where unconventional happenings are taken with a shrug of the shoulders, fairly buzzed today with the stories of the annual Hotel Carroll party at which Lady Vera Cathcart was a conspicuous guest. Festivities started at midnight Monday and lasted until exhaustion yesterday.

Not since Henry Barnum Seeley gave the historic "Seeley dinner" at Sherry's in 1896, has the fast-stopping set that combines Broadway and Fifth Avenue, witnessed a party with so much "kick" injected into it as at Carroll's party.

To cap the climax of a night featured by ever increasingly amazing surprises, Carroll went young Seeley just one better. It will be remembered that Seeley delighted his guests by causing a girl to step out of a pie, clad for the part of Eve in the Garden of Eden.

Carroll had no pie, but he had a bathtub. During the early hours of the night the bathtub had been used as a container for wine, with spigot attached where the plug usually is placed.

There was a young woman at the party, Joyce Hawley. She has been trying to obtain a place in the "Vanities" cast. So when the "big idea" struck Carroll he found Miss Hawley quite obliging.

Miss Hawley at this time had reduced her wearing apparel to a matter of a flimsy pink garment and a pair of slippers. The bathtub was hauled out into the center of the stage and Carroll called for a spotlight.

With thoughtful consideration for Miss Hawley, Carroll held a coat in front of the bathtub. Miss Hawley slipped behind the coat. Two slip-

PUBLICITY SHOPPING?



Released from Ellis Island under bond, Countess Vera Cathcart, accompanied by Mrs. Gordon Carr, smiles her way along New York's streets on a shopping tour. The countess is on the left.

TAXATION TALK AT ROTARY CLUB

C. Burgess Taylor Details History, and Effect of Levies

VALLEY FORGE PASTOR HERE

Rev. W. Herbert Burk Extols Life of Washington at B. and L. Meeting

2. This coverage from the front page of *The Chester Times* [Pennsylvania] for 24 February 1926 is typical of the treatment the Countess received from the press after she was allowed to enter the United States: "Publicity Shopping? Released from Ellis Island under bond, Countess Vera Cathcart, accompanied by Mrs. Gordon Carr, smiles her way along New York's streets on a shopping tour. The countess in on the left."

to the addition of Hawley and pronounced it “good champagne,” while Carroll invited the gentlemen present to form a line for drinks once the peeled chorine had become the garnish (“Wine Bath Depicted in Detail by Four”).

Such sensational news reports would eventually lead to a grand jury investigation of the late-night party at the Earl Carroll Theater for violation of the Volstead Act, with Carroll eventually serving a six-month penitentiary sentence for perjury. The ramifications were more immediate for Lady Cathcart (“Carroll Case Goes to Jury Today”). On March 6, William Sheafe Chase, the formidable censorship advocate, Episcopalian minister, and Secretary General for the ultraconservative Federal Motion Picture Council of America, Inc., sent a lengthy telegram to the US Attorney General protesting the reversal of the decision to prevent the Countess from entering the country, claiming that the “Cathcart decision increases widespread suspicion that vice business interests can corrupt American law enforcement” (“Telegram from William Sheafe Chase to the US Attorney General” 3). Clergymen were not the only ones expressing such concerns. Only two days after the fateful Broadway party, R. F. Woodhull, president of the Motion Picture Theater Owners of America, addressed a meeting of the American Motion Picture Advertisers, telling them that his organization had taken formal steps to bar from the screen any appearance by the Countess of Cathcart, and he asked all theater advertisers to take similar actions (“Theaters Will Curb Countess”; “Movies Would Bar Countess If Party Was for Publicity”; see also “Tent Mgrs. Denounce Earl Carroll Methods”). In reference to the Countess, Woodhull reminded his audience, “Just because publicity keeps an individual in the limelight of the daily press for several weeks or a month is no reason why that person should be heralded in the motion picture industry as a Barrymore or a Sarah Bernhardt. Remember that Barrymores and Bernhardts are born, not made” (“Picture Theaters May Bar Countess”). When Will Hays then sent Woodhull to Capitol Hill as an industry representative to address a Congressional committee considering proposed blue law legislation, the press reported that Woodhull demonstrated the motion-picture industry’s firm commitments to cleaner pictures by informing the committee “that the Countess Cathcart had been banned by the film magnates” (“Sidesteps Blue Law Fight”).

It is here, with the regulatory scrutiny of these bans, where the impossible films of Vera, Countess of Cathcart, begin to take shape. On what basis did Woodhull and others associated with the motion-picture industry anticipate a film career for Vera Cathcart? Or was this ban merely an efficient means for the industry to appear vigilant against infiltration and corruption from outside elements? Such bans of these so-called “publicity-made personalities” were nothing new, and they had been a regular and familiar feature of Hollywood public relations since the very early 1920s, well before the formation of the Hays office and before Arbuckle’s Labor Day party in San Francisco made front page headlines in 1921 after the famous screen comic was formally charged with the murder of the screen actress Virginia Rappe.¹⁰ It was

¹⁰ The murder charge against the star included the accusation that Rappe’s death resulted from a sexual assault purportedly perpetrated by Arbuckle at a party held in his suite at the St. Francis Hotel in San Francisco.

also entirely possible that a film featuring the Countess already existed, since testimony emerged in the grand jury investigation that at least one motion-picture camera had been present and operating at the Earl Carroll Theater during the infamous bathtub party.¹¹ If such a film or films existed, the ban may have sought to thwart any harmful exploitation of such footage by foolish renegade exhibitors. Additionally, it would have been reasonable to assume that a British novelist, who could claim a noble title (if only by marriage) and familiarity with aristocratic circles, might be profitably acquired as a scenario writer by an enterprising studio. Elinor Glyn, who was at the height of her popularity during the Cathcart affair, had successfully insinuated herself into Hollywood celebrity culture after marrying into English society, publishing a scandalous popular novel about an adulterous affair, and emigrating to the United States (Barnett). Finally, reports were circulating that MGM had just secured a contract with Queen Victoria's granddaughter, Queen Marie of Rumania, to write scenarios and to adapt some of her novels for the screen ("Queen to Write Film Play"; *Photoplay*, Apr. 1926 63). In short, there remains a great deal of circumstantial evidence that the Countess was visiting the United States in order to solicit Hollywood interest in her work as a writer, in her life as an adventuress, in short, in her compelling, modern personality. Whatever the case, once industry officials had announced the motion-picture ban, it put into place a context for imagining all sort of films the Countess of Cathcart might have been able to make. If the announced industrial ban on the Countess made such imaginings possible, these impossible films were subsequently constrained and made more remote by the vociferous attacks on her stage play, her performance in it, and the audiences who came to see it, almost as if to prove the film industry's argument that genuine and worthwhile celebrity is inherent and not conferred by arbitrary circumstance.

The Theatrical Career

Earl Carroll opened *Ashes of Love* for a single night in Allentown, Pennsylvania—a world premiere in a sizable working-class mill town that went virtually unremarked by the big city papers—and then immediately moved the play to the Shubert-Belasco Theatre in Washington, DC for a one-week engagement (Whelan). The performances in the nation's capital were widely characterized in the press as a sort of second trial for the Countess before federal representatives, and reviewers often noted the eager attendance of numerous members of Congress, including the Speaker of the House of Representatives. A secondary headline in *The New York Herald* read, "Countess Parades Incidents of Turbulent Life Before

¹¹ "Norman Harris, a Western Union Telegraph operator, testified he had assisted a friend who took moving pictures of the party and that he had seen on the platform near the camera in the back of the auditorium a book in which several guests wrote something." ("Wine Bath Depicted in Detail by Four" 8). Fox newsreel footage of the arrival of the Countess Cathcart in Washington, DC on March 14, 1926 survives in the Moving Image Research Collections at the University of South Carolina ("Countess Cathcart Arrives in D.C."), and stock newsreel footage of her shopping with her friend Mrs. Gordon Carr in New York City in late February 1926 is viewable online ("Jazz Age Retrospective - Countess Cathcart - HD").

Officials Who Held Her Guilty of “Turpitude,”” a piece that also reported how “[r]oars of laughter came from the audience as the curtain rose upon the first act” (“Lady Cathcart Opened ‘Ashes’ in Washington”). The play’s producers had requested that theater critics not attend the Washington opening or, if they did, not to write punishing reviews. Also, before the curtain was raised, the play’s director, George Vivian, instructed the opening-night audience to approach *Ashes of Love* as something quite different than the typical stage drama in that it dealt intimately with depictions of real life. “Lady Cathcart, you shall see, is playing a part that she has actually played in her own life and the characters with her play the parts of other, living human beings” (“Lady Cathcart Opened ‘Ashes’ in Washington”). Whether this instruction was a sincere attempt to prompt a respect for the documentary and autobiographical qualities of the performance, or whether it was merely an attempt by Carroll and others to further hype the sensational nature of the property, the press continually reported on a mode of reception at the performances that can only be generously described as mirthful derision. Such a reception was sometimes accounted for during its engagement at the Belasco Theater by remarking how the politicians in attendance were mostly interested in the topicality of the Countess as a “person in the news” and in the sheer ridiculousness of her recent ordeals.

After the engagement at the Belasco, Carroll and the Countess apparently disagreed about the future of the production, with the impresario wishing to take *Ashes of Love* on the road before opening on Broadway, whereas the playwright and headliner sought to return at once to New York. Carroll then sold the rights to the play back to Lady Cathcart for a reported twenty thousand dollars, after which the Countess and company promptly opened the play on Broadway at the National Theatre on March 22 (“Parts with Cathcart Play”; “Countess in Split with Her Backer”). The show ran only a week, and reviews of the play and the performances continued to amplify the now firmly established judgment that the play was utterly dreadful, though inadvertently humorous. A review of opening night that appeared in the *New York Telegraph* claimed that the play was nothing but cheap, outmoded melodrama and noted that the audience, “made up for the most part of typical ‘first nighters’ and the Countess’ friends, laughed heartily when they should have been serious, and were serious when they should have laughed” (“Countess Cathcart Sifts Her Ashes”).¹² A fairly typical strategy for most reviewers was to attribute the most disrespectful acts of mockery to a heartless audience, thereby displacing the harshest evaluations of the play and the performance onto a vicious public while the more humane journalist finds either pitiable or admirable the Countess’ ability to persevere through such a fiasco. Walter Winchell, writing in *The New York Graphic* as “the Earl of Winchell,” even remarked how the Countess appeared to uncontrollably weep on stage during the final moments of the play on opening night at the National. Yet he also commented on a palpable variance in audience reception

¹² The New York Public Library scrapbook mistakenly dates this review as appearing on 19 March, though it is clearly a review of the opening night performance at the National Theatre that took place on 22 March.

that was marked by social class when he observed how the amateur actress “seemed ill at ease, keeping her eyes focused on the upper floors, the patrons of which, strange to report, deported themselves with more dignity than those downstairs” (Winchell). Winchell may have been signaling that the Countess’ affective source of support was coming from the masses who were deeply interested in her life.¹³ Of course, it was also possible to read these same comments as depicting those in balconies as simply incapable of appreciating kitsch. Broadway cruelty masquerading as cultural superiority was a barely muted motif of most of the New York reviews, and some critics took pains to mention some of the more well-known sophisticates attending the performance, a list that included such notables as Ralph Barton, Noël Coward, John Emerson and Anita Loos, John Chipman Farrar, John Howard Lawson, Rebecca West, and Thyra Samter Winslow (e.g. “Countess Cathcart’s ‘Ashes’ Introduced to N.Y. Playgoers”; “Ashes of Love [review]”). It is now next to impossible to fully fathom what investments different audiences might have held in *Ashes of Love* in March of 1926. As a performance which the urbane critics pronounced an unintentional burlesque to be appreciated earnestly by only the stupidest of flappers, the play, its author, and its “star” performer clearly touched on deep-seated anxieties about gender, class, and the possibilities of mass celebrity. The punishment meted out to *Ashes of Love* was a response to conditions larger than the Cathcart affair itself, as it sought to discipline a mass audience and to regulate the possibilities of the mass media, particularly the cinema. As the ridiculousness of the Cathcart affair gave way to the ferocious ridicule the Countess endured as a public spectacle, the purported awfulness of both her play and her performance was ultimately used to satirize the attention and respect paid to her by masses of newspaper readers and the unschooled crowds who occupied the gallery seats. In the end, the joke of the Cathcart affair was on that large, unsophisticated sector of the public who had been deceived by a publicity apparatus into believing that the Countess was genuinely a woman living on the edge of the law, flouting moral convention, and challenging male privilege. Despite the fact that, at the end of his review, Winchell mentioned hearing rumors of “cinema rights” for *Ashes of Love*, the thorough cultural drubbing that the Countess endured at the hands of the East Coast critical establishment was far more effective than any official film industry ban in making the impossible films of Vera Cathcart practically unimaginable if not unintelligible.

The Industrial Situation

The Countess was only one of at least dozens of women who were sincerely feared by the American film industry during this period, feared ostensibly because their fame and popular appeal rested principally on their involvement in public scandals. The impossible films of Vera, Countess of Cathcart appeared, or failed to appear, at the end of a period

¹³ Those masses would have to rest content with a ten-part serialization of Vera Cathcart’s autobiography, published in Hearst’s *American Weekly* between March 21 and May 23 and included as a Sunday supplement to newspapers around the country. See Cathcart.

when women such as Clara Smith Hamon, Florence Leeds, Madalynne Obenchain, and Anne Stillman had either made, attempted to make, or were fear to be attempting to make motion pictures based upon their lives and their involvement with highly publicized adultery, divorce, and murder cases, but women's film history continues to pay these women filmmakers scant attention with one rare exception.¹⁴ That exception is industry-insider Dorothy Davenport Reid who was, perhaps, even as an insider, no real exception, since she too began her film authorship in relation to public scandal. A former screen actress and the wife of *matinée* idol Wallace Reid, Davenport Reid made headlines in late 1922 when, as Mrs. Wallace Reid, she became the public face and interpreter of her husband's narcotic addiction from which he died in early 1923.¹⁵ That scandal launched Davenport Reid's renewed motion-picture career as a cinema author when she participated in the production of *Human Wreckage*, a film about narcotic addiction generally viewed and promoted as her autobiographical statement on addiction and the suffering of drug addicts. We can quickly see the problems encountered by the type of cinematic authorship that women such as Clara Smith Hamon and Davenport Reid were pursuing in the early 1920s, by considering the changing industrial reception of Davenport Reid's three films made between 1923 and 1925, each dealing with a social problem through both narrative and extra-narrative contexts of public disgrace and scandal, the very terms upon which Davenport Reid's authority rested. A brief glance at the reviews and the exploitation advice dispensed for these three films by *Wid's Film Daily*, probably the tersest of the exhibitor trade journals, shows a decreasing tolerance for Davenport Reid's interest in sensational exposé. In 1923, *Wid's* found *Human Wreckage*, her narcotic picture, profitable propaganda, even though it might attract "the morbidly curious," (*Wid's Film Daily*, July 1, 1923 4) while a year later her picture about juvenile delinquency, *Broken Laws*, was deemed serviceable but only if very carefully handled (*Wid's Film Daily*, December 7, 1924 4). Finally, *The Red Kimona* of 1925 was pronounced suitable only for the grindhouse, with a stern warning to the adventurous exhibitor about possible police actions (*Wid's Film Daily*, February 14, 1926 9). While this latter judgment might seem a fairly unremarkable response to a film dealing with the long prohibited topic of white slavery, *The Red Kimona* was less connected to a Progressive Era cinema of reform than it was to modes of address in which media coverage of sensational scandals posed the possibility that some of the women associated with these scandals might use the motion picture to reach a public interested in their troubled lives. By the time Vera Cathcart was detained at Ellis Island in early 1926, the film industry, despite its loud rhetoric against state and local censorship, seemed more than willing to recommend law enforcement as an effective means of keeping such films from reaching their destinations, severely limiting the possibilities being explored by these important women filmmakers. [fig. 3] But what are we to do then with these impossible films?

¹⁴ For an extended analysis of the film historical importance of Clara Smith Hamon, see Anderson, "Tempting Fate." For a brief and unsympathetic discussion of Madalynne Obenchain see Brownlow.

¹⁵ An extended analysis of Dorothy Davenport Reid's relation to the scandal period of the early 1920s can be found in Anderson, *Twilight of the idols*.



3. Cartoon that appeared in *Moving Picture World*, 13 March 1926. An ironic and likely inadvertent commentary on the Cathcart case, appearing at the very moment the industry itself was swearing to ban Vera Cathcart from the screen.

A decade ago, Radha Vatsal called for a new feminist filmographic practice that would freight the filmographies of women filmmakers with all the nuance, complexity, incoherence, and indeterminacy of those seemingly interminable historical details that are typically relegated to the footnotes of film histories or elided altogether.

She writes,

Sacrificing orderliness seems to be a small price to pay for reference sources in which seemingly simple, but in fact vexed, claims such as attributions of directorship for silent-era titles are presented to the reader with all their attendant ambiguities and contradictions brought into the open. Such “nonauthoritative” filmographies would function not as repositories of incontrovertible fact, but rather as texts that prompt the reader to reach her own conclusions. Instead of being part of an entrenched mechanism underwriting claims of authorship, the filmography would then ironically destabilize that tradition. (124)

Of course, Vatsal still requires that there exist some indication that a motion picture was actually produced in order for a film-historical tradition to be called into question through filmographical citation. My posing of the question of Cathcart’s film authorship expands Vatsal’s project by bringing the valuable disturbance caused by footnotes into the writing of film history itself. However, unlike those women with whom Vatsal seeks to problematize the credits of silent-era films, Cathcart, because of the enormous publicity she garnered in 1926, has more in common with those boastful male *auteurs* who “boldly aggrandize their own authority” than with those retiring women who Vatsal describes as “undertak[ing] intensive production tasks without having to name themselves or their positions through a fixed system of credits” (Vatsal 136). While the Countess was prevented from making a mess of things through a cinematic presentation of the messiness of her fascinating life, that does not mean that as historians we should not attend to that life as a radically alternative conception of the cinema and to appreciate its possibilities as a determinative film-historical force.

The ruminative countess who inhabits Piñera’s strange tale ends up with the last laugh after all, demonstrating to her impatient husband that his desire to quell popular rumors by quickly mounting a grand ball that is singularly distinct from any of its possible seven phases is a sheer impossibility.

When the subject of reason was broached, the count, a living antithesis of an insane asylum, turned on his heels and discreetly left the metaphysical *soirée*. But his rude disappearance was hardly noticed, for the ladies were already leaning towards the countess to hear from her own lips that she had just discovered an eighth phase for a possible dance that would be the exact reproduction of one held exactly one hundred years ago. (Piñera 36)

Whatever sort of mediation is entailed by this newly discovered eighth phase, the countess

has established the principles of a historiography committed to an expansion of the possibilities and the impossibilities of the past. In other words, in taking our cues from this fictional countess we might today continue with the always unfinished business of that other Countess who sought to construct herself, her social relevance, and her historical importance through the perpetuation of talk about her.

Conclusion

Such films that we might well imagine having been imagined by others would have been part of a utopian project of the silent cinema that Jane Gaines, following Mary Ann Doane, has termed the total cinematification of the world. As a circumstance of modernity, cinematification joined melodramatic fiction to cinema's initial documentary impulse as a way of extending cinema's reach to the invisible realms of the world's people (Gaines). The notion of a highly visible but unspoken fiction that was world cinema at the beginning of the twentieth century is a conception of the motion picture, whether made or not made, as precisely a procedure in the service of making the impossible possible, or in Gaines' words, of "making unspeakable acts unspoken but expressed elsewhere in another register" (33). In a real sense, shame and the publicity given to scandals during the 1920s provided some women a "voice-that-was-not-a-voice" in the shaping of US public opinion, even as these same women were increasingly being banned from the nation's movie screens.

If as historians we seek to return to these films that were never made by seeking to establish what were in people's heads—to return to what they were thinking when they conceived of such films, when they worried about such films, when they censored such films—we run the risk of making the impossible once again singularly impossible by embarking on the impossible task of finding words adequate to the truth of these films that never were. As Jacques Rancière has maintained,

There is history because there is a past and a specific passion for the past. And there is history because there is an absence of things in words, of the denominated in names. The status of history depends on the treatment of this twofold absence of the "thing itself" that is no longer there—that is in the past; and that never was—because it never was such as it was told. Historical affect is bound to the personal absence of what the names name. (63)

Because the "condition of historical impossibility is none other than its condition of possibility," (Rancière 63–64) the previously vexing question of mediation is moot. It is no longer a question of constructing a language or method appropriate for apprehending a past in its truth and for selecting those objects and documents amenable to projects of reconstruction or reconsideration, that is, for the holding of a dance ball that adequately approximates a ball held exactly a hundred years ago. The historian's task is one of acknowledging the intelligibility of a past that never had a future, a past that cannot speak

because it has been already spoken for. Her words and her writing do not speak of (or speak for) those missing and those silent in the film historical past, but indicate a place in the world for them, precisely that place where they are no longer to be found.

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